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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/720,156

11/25/2003

Teng Li Chen

OP-092000334

9638

7590

12/14/2004

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EXAMINER

PAYNE, SHARON E

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/720,156	CHEN, TENG LI	
	Examiner	Art Unit	
	Sharon E. Payne	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

1. Claims 1-12 are objected to because of the following informality: the word "piece" should be "pieces" in line 2 of claim 1. Claims 2-12 are necessarily included due to their dependency. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 7, 8, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Reed (U.S. Patent 4,656,568).

Regarding claim 1, Reed discloses a lampshade. The lampshade includes a plurality of shade pieces (Fig. 1), each including a frame body (reference number 37) with a receiving portion (reference number 21) formed thereon (Fig. 2), a connecting base (reference number 15) including a plurality of projecting bars (Fig. 1), each projecting bar having a connecting portion (Fig. 3, reference number 19) at the end (Fig. 3) to connect with the receiving portion of each shade piece (Figs. 1 and 3), and a plurality of mounting fixtures (reference number 23) for mounting shade pieces with each other to form a lampshade structure (Fig. 1).

Concerning claim 2, Reed discloses each shade piece having a fanlike shape (Fig. 1).

Regarding claim 3, Reed discloses the shade piece further including a shade body (reference number 35) embracing the frame body (Fig. 2).

Concerning claim 7, Reed discloses a connection of the receiving portion of the shade piece and the connecting portion of the connecting base as demountable (Figs. 3 and 4).

Regarding claim 8, Reed discloses the receiving portion (reference number 21) of the shade piece as a socket portion (Fig. 4).

Concerning claim 11, Reed discloses the connecting base further including a base body fixedly furnished with the projecting bars (Fig. 1).

Regarding claim 12, Reed discloses the base body as a plate (Fig. 1).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed in view of Sviland (U.S. Patent 6,786,621).

Regarding claim 4, Reed does not disclose the shade body as being made of a plastic material. Sviland discloses the shade body as being made of a plastic material (column 2, lines 45-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the plastic of Sviland in the apparatus of Reed because plastic is sufficiently flexible and is also heat resistant (column 2, lines 54-61 of Sviland).

Concerning claim 5, Reed does not disclose an overlapping shade body. Sviland discloses the shade body being outstretched at one side of the frame body to form an overlapping cover on the other shade piece while two shade pieces are mounted together (Fig. 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the overlapping configuration of Sviland in the apparatus of Reed to keep unmodified light from escaping the apparatus, thus creating a pleasing lighting effect.

Regarding claim 6, Reed does not disclose fixing holes. Sviland discloses the shade body forming a plurality of fixing holes (reference number 107), and the mounting fixture (reference number 113) having a plurality of clamping portions (Fig. 1, reference number 113) engaging with the fixing holes to mount two shade pieces together (Fig. 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the fixing holes of Sviland in the apparatus of Reed to enable one to use a variety of readily available mechanical fasteners with the

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apparatus, thus enabling one to replace a fastener easily. See column 4, lines 35-45, of Sviland.

6. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed.

Regarding claim 9, Reed does not specifically disclose the base body being integrally formed with the projecting bars.

Making the projecting bars integral with the base body is considered to be an obvious variation. Since the projecting bars and the base body are well known in the art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make them integral, since making parts integral only involves routine skill in the art. See M.P.E.P. 2144.04. Furthermore, making the bars integral simplifies the assembly process.

Concerning claim 10, Reed discloses the base body as a plate (Fig. 1).

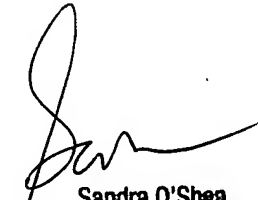
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Payne whose telephone number is (571) 272-2379. The examiner can normally be reached on regular business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sep



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